

## **REMARKS**

### **Summary of the Amendment**

Upon entry of the present Amendment, Claim 6 will have been amended. Accordingly, Claims 6 and 7 remain pending in the present application. By the present Amendment and Remarks, Applicant submits that the rejections and objections have been overcome, and respectfully requests reconsideration of the outstanding Office Action and allowance of the present application.

### **Traversal of Rejection under 35 U.S.C. § 103(a)**

Applicant respectfully traverses the rejection of Claims 6 and 7 under 35 U.S.C. § 103(a) as being unpatentable over ICHINOKAWA in view of SHIMAZAKI and JP2003-274229A.

Applicant's amended Claim 6 recites that the motor and the guide member move relatively to the holding unit in the direction of the optical axis, until reaching a position where they overlap with the overhang portion. Thus, the motor and the guide member are positioned to avoid the overhang portion when they come relatively close to the holding unit. Applicant has previously argued that ICHINOKAWA and SHIMAZAKI do not disclose this feature. Likewise, Applicant submits that in JP2003-274229, there is no disclosure that the DC motor 21 moves in the direction of the optical axis until reaching a position where it overlaps with the chassis 1 to which the imaging device 10 is fixed. Also, JP2003-274229 does not disclose the overhang portion to hold the imaging device 10.

Additionally, Claim 6 recites that “the guide member being positioned in a quadrant next to a quadrant where the motor exists and arranged to overlap with the holding unit as viewed from the subject side...” In the present invention, as can be seen in Fig. 6, there is the guide member 14 in a quadrant next to a quadrant where the motor 15 exists. Therefore, when the guide member and the motor relatively come close to the holding unit, they can avoid the overhang portion. With this structure, the size of the lens-barrel can be minimized. On the other hand, if the motor and the guide member are positioned in the same quadrant and if they try to avoid the overhang portion, the motor and the guide member will run over the containment circle 41. Applicant submits the cited references do not teach this feature. For instance,

ICHINOKAWA discloses the lens drive motor 23 and the guide shaft 11. However, the lens drive motor 23 does not move relatively to the holding unit in the direction of the optical axis. Also, the lens drive motor 23 and the guide shaft 11 are both positioned in the same quadrant.

Since the cited references, alone and in combination, fail to disclose the above-noted features of the present invention, Applicant submits that the combined references fail to disclose each and every feature of the present invention as recited in Claims 6 and 7. Accordingly, Applicant requests that the rejection of Claims 6 and 7 be withdrawn.

### Conclusion

In view of the foregoing, it is submitted that none of the references of record anticipate or render obvious the Applicant's invention as recited in Claims 6 and 7. The applied reference of record has been discussed and distinguished, while the significant claimed features of the present invention have been pointed out.

Further, any amendments to the claims which have been made in this response and which have not been specifically noted to overcome a rejection based upon prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

If any additional fee is required, please charge Deposit Account No. 502456.

Respectfully submitted,

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/Jason Truong/  
Jason Van Truong  
Attorney for Applicants  
Registration No. 53,704

CANON U.S.A., INC.  
INTELLECTUAL PROPERTY DIVISION  
15975 Alton Parkway  
Irvine, CA 92618-3731  
Tel: (949) 932-3145  
Fax: (949) 932-3560